

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In the Matter of the Complaint of
Michael Schladetzky, owner of the M/V
DISCOVERY, a 1979 Universal Marine Boat,
Official No. 611125, for Exoneration from or
Limitation of Liability.

IN ADMIRALTY

NO: C19-493 JLR

~~PROPOSED~~ ORDER
FOR ENTRY OF MONITION

A Complaint having been filed herein on April 3, 2019, pursuant to Rule F(2) of the Supplemental Rules for Certain Admiralty & Maritime Claims, by the above-named Plaintiff as owner of the M/V DISCOVERY, a 1979 Universal Marine boat, Official No. 611125, praying for exoneration from or limitation of liability relating to a marine incident involving a fire at the Port of Everett Marina in or around Dock G, Slip 46, where the Vessel was moored, on October 8, 2018; and the Complaint having stated the facts and circumstances upon which said exoneration and limitation are claimed; and the Plaintiff having otherwise satisfied Rule F(1) of the Supplemental Rules for Certain Admiralty & Maritime Claims; and it appearing that claims are about to be made against the Plaintiff and against the vessel for loss, damage, injury or destruction alleged to have been incurred in consequence of said incident;

~~PROPOSED~~ ORDER FOR ENTRY OF MONITION
(No. C19-493 JLR) - 1

GASPICH LAW OFFICE PLLC
1000 Second Avenue, Suite 3330
Seattle, WA 98104
Tel. (206) 956-4204
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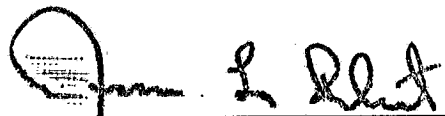
1 NOW, THEREFORE,

2 IT IS HEREBY ORDERED that a monition issue out of and under the seal of this
3 Court in the form attached hereto as Exhibit 1, against all persons with claims against the
4 Plaintiff for damages for any and all loss, destruction, damage or injury caused by or resulting
5 from the said fire at the Port of Everett Marina on October 8, 2018, referred to in the
6 Complaint, citing each of them to appear before the Court and make due proof of their
7 respective claims within sixty (60) days after the Notice is last published or by July 15, 2019,
8 whichever is later;

9 AND IT IS FURTHER ORDERED that public notice of said monition be given by
10 publication thereof in the Everett Herald, a newspaper published in Everett, Washington, once
11 a week for four successive weeks, and that the first publication of said monition shall occur by
12 April 24, 2019;

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14 AND IT IS FURTHER ORDERED that no later than the day of second publication
15 Plaintiff shall mail a copy of the monition to every person known to have made any claim
16 against the Vessel or the Plaintiff arising out of the Incident, to the last known address of any
17 decedent, and to any person who shall be known to have made any claim on account of any
18 death. The notice shall also be mailed to their respective attorneys, if known.

19 Dated this 12th day of April, 2019.

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22 Honorable James L. Robart
23 United States District Judge
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1 Presented by:

2 GASPICH LAW OFFICE PLLC

3
4 s/ Anthony J. Gaspich

5 Anthony J. Gaspich, WSBA #19300

6 1000 Second Avenue, Suite 3330

7 Seattle, WA 98014

8 Tel.: (206) 956-4204

9 tony@gaspichwilliams.com

10 Attorneys for Plaintiff Michael Schladetzky

EXHIBIT 1

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In the Matter of the Complaint of
Michael Schladetzky, owner of the M/V
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Official No. 611125, for Exoneration from or
Limitation of Liability.

IN ADMIRALTY

NO: C19-493 JLR

**NOTICE OF COMPLAINT FOR
EXONERATION FROM OR
LIMITATION OF LIABILITY**

NOTICE IS HEREBY GIVEN, pursuant to 46 U.S.C. § 30505 and Federal Rule of
Civil Procedure Supplemental Rule F, that Michael Schladetzky, the owner of the M/V
DISCOVERY, a 1979 Universal Marine boat, Official No. 611125, seeks exoneration from or
limitation of liability relating to a marine incident involving a fire at the Port of Everett
Marina in or around Dock G, Slip 46, where the Vessel was moored, on October 8, 2018.

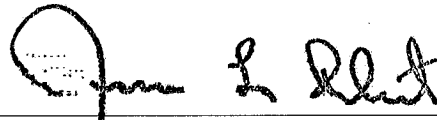
Any person asserting claims with respect to which the above-identified vessel owner
seeks exoneration or limitation shall file their respective claims, under Cause No. 19-493 JLR,
with the Clerk of the Court for the United States District Court for the Western District of
Washington, 700 Stewart Street, Seattle, Washington 98101, within sixty (60) days after this
notice is last published in The Everett Herald or by July 15, 2019, whichever occurs later.
Such claimant shall also serve a copy of the claim on attorney Anthony J. Gaspich of Gaspich
Law Office PLLC, 1000 Second Avenue, Suite 3330, Seattle, WA 98104. Such claim shall
identify the name and address of the claimant, the facts on which the claimant relies in

NOTICE OF LIMITATION OF LIABILITY COMPLAINT
(No. C19-493 JLR) - 1

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1 support of the claim, the date on which the claim accrued, and the nature of the claimant's
2 injury or damage. In addition, if the claimant contests the right of Michael Schladetzky to
3 exoneration from or limitation of liability, such claimant shall either (i) include such
4 challenge in the claim or (ii) file and serve an answer to the particular complaint. Weekly
5 publication of this notice in the Everett Herald for four (4) consecutive weeks is conditioned
6 on the vessel owner's deposit into the Registry of the Court a sum equal to the aggregate
7 value of the vessel at issue plus security for costs. The Vessel owner has paid the amount of
8 \$560.00 into the Registry of the Court as security for value and costs. The Court also has
9 STAYED AND ENJOINED prosecution of any other action or proceeding against Michael
10 Schladetzky or his property with respect to any claim subject to Limitation in this action.

11 This notice has been APPROVED for publication and mailing pursuant to
12 Supplemental Rule F(4) of the Federal Rules of Civil Procedure, this 12th day of April,
13 2019.

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15 Honorable James L. Robart
16 United States District Judge
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